

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER R-07-014

Relating to Amendments to the Zero Emission Bus Regulations

WHEREAS, on October 19, 2006, the Air Resources Board (the Board or ARB) conducted a public hearing to consider amendments to the Zero Emission Bus regulations, as set forth in the Initial Statement of Reasons released to the public on September 1, 2006;

WHEREAS, following the public hearing on October 19, 2006, the Board adopted Resolution 06-28, in which the Board approved amendments to sections 2023.1, 2023.3, and 2023.4, title 13, California Code of Regulations, as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto, and with the following additional modifications: (1) allowing a three to five year transition period, as appropriate, for a transit agency that becomes subject to the ZBus purchase requirement due to the growth of its urban bus fleet to beyond 200 buses after the initial determination of applicability, and (2) delay the purchase requirements for a transit agencies on the alternative fuel path until 2012 whether or not they conduct an advanced demonstration program;

WHEREAS, Resolution 06-28 also directed the Executive Officer (1) to incorporate into the approved regulations the modifications described in Attachment B thereto and such other conforming modifications as may be appropriate; (2) to make the modified regulations, with the modifications clearly indicated, available for supplemental public comment for a period of at least 15 days; (3) to consider any comments on the modifications received during the supplemental comment period; and then (4) consistent with the Resolution, either to adopt the regulations as made available with any appropriate additional modifications, or to present the regulations to the Board for further consideration if he determines that this is warranted;

WHEREAS, the modified text of the proposed regulatory amendments, reflecting the Board-approved modifications, and additional modifications consistent with the Board's direction, was made available for a supplemental 15-day comment period starting July 27, 2007, in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated;

WHEREAS, the written comments received during the supplemental 15-day public comment period have been considered by the Executive Officer and did not require substantive modification of the proposed regulations or reconsideration by the Board.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 06-28 are incorporated by reference herein.

IT IS FURTHER ORDERED that amendments to sections 2023.1, 2023.3, and 2023.4, title 13, California Code of Regulations, are hereby adopted as set forth in Attachment 1 hereto.

Executed this 27th day of August, 2007, at Sacramento, California.

/s/

Tom Cackette
Acting Executive Officer

Attachment